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6 *Attorneys for Plaintiffs*

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 EMPLOYEE PAINTERS TRUST HEALTH &  
10 WELFARE FUND, by and through its designated  
fiduciary, Todd Koch; FLOORCOVERERS JOINT  
11 COMMITTEE; FLOORCOVERERS  
APPRENTICE TRAINING TRUST FUND;  
12 PAINTERS ORGANIZING FUND; AND  
PAINTERS LABOR-MANAGEMENT  
13 COOPERATION INITIATIVE, by and through its  
designated fiduciary John Smirk,

14 Plaintiffs,

15 v.

16 DIVERSIFIED FLOORING SPECIALISTS, INC.,  
17 a Nevada close corporation; CHARLENE PENA,  
an individual; JUAN PENA, an individual;  
18 AMERICAN CONTRACTORS INDEMNITY  
CO., a Foreign Corporation; CAPITOL  
19 INDEMNITY CORPORATION, a corporation  
qualified to act as surety in the state of Nevada;  
20 John Does I-XX, inclusive, and Roe Entities I-XX,  
inclusive,

21  
22 Defendants.

Case No.: 2:09-CV-01755-PMP-GWF

Date: N/A

Time: N/A

23 **JUDGMENT**

24 Having considered the Plaintiffs' Motion for Summary Judgment Against Defendants  
25 Diversified Flooring Specialists, Inc.; Charlene Pena; and American Contractors Indemnity Co.  
26 [Doc. No. 55] ("Motion for Summary Judgment"), and the Errata thereto, together with the  
27 Points and Authorities, Exhibits and Declarations submitted therewith, and for Good Cause  
28 Appearing therefor,

CHRISTENSEN JAMES & MARTIN  
7440 W. SAHARA AVE., LAS VEGAS, NEVADA 89117  
PH: (702) 255-1718 & FAX: (702) 255-0871

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

2 Plaintiffs' Motion for Summary Judgment is granted as to Diversified Flooring  
3 Specialists, Inc. ("DFSI") and Charlene Pena ("C Pena").

4 Judgment is hereby entered in favor the Plaintiffs and against DFSI and C Pena, jointly  
5 and severally, in the total sum of Fifty Thousand Twelve and 29/100 Dollars (\$50,012.29)<sup>1</sup>  
6 ("Judgment Amount").

7 The Judgment Amount shall bear interest at the rate of 12% per annum until paid  
8 in full and shall be increased by the amount of any attorney's fees and costs incurred by the  
9 Plaintiffs for collection of the Judgment Amount.

10 Dated and Done this 10th day of May, 2011.

11 IT IS SO ORDERED.

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13 \_\_\_\_\_  
14 U.S. DISTRICT COURT JUDGE

15 Submitted by:

16 CHRISTENSEN JAMES & MARTIN

17 By: /s/ Sara D. Cope  
18 Sara D. Cope, Esq.  
19 Attorneys for Plaintiffs  
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28 <sup>1</sup> Less the successful negotiation of a \$33,750.00 check paid by the Defendant American  
Contractors Indemnity Company to the Plaintiffs on April 28, 2011.